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09/847,557	05/02/2001	Andrew Varga	YOR920000812US1/128-0001	5973
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CANTOR COLBURN LLP-IBM YORKTOWN 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			BUCHANAN, CHRISTOPHER R	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 09/847,557
Filing Date: May 02, 2001
Appellant(s): VARGA ET AL.

DEC 20 2007

GROUP 3600

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 15, 2007 appealing from the Office action mailed May 14, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 2002/0184111 SW

SWANSON

12-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-9, 11-15, 17-19, 21, 23-27, 29-31 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swanson (US 2002/0184111) alone.

Regarding claims 1, 34, and 35, Swanson discloses a system for managing parts requirement processes in an engineering environment (see abstract, Fig. 1), having a server (application server, Fig. 1) in communication with a workstation (104) over a network (the internet), the workstation executing a design tool application (CAD tools, test tools, etc., 185, Fig. 4, par. 0058) for developing a product design (par. 0063, 0067). The system further includes a bill of material assist application (see Fig. 10b,

par. 0067) executing on at least one of the server and the workstation for managing the parts requirements processes (via an intelligent bill of materials decomposition process), wherein the bill of material assist application performs receiving a bill of material including a list of component parts in response to a product design conducted on the workstation (par. 0067), wherein the bill of material for the product design can be edited (par. 0067, 0099, 0101, BOM is updated with design changes), mapping the component part in the list to corresponding part selection process information, the corresponding part selection process information from a plurality of external sources (par. 0067, par. 0107; via an expanded text window providing a SKU listing with filtering and sorting, clicking on a SKU list item changes the SVG display and the corresponding bill of material list), and generating a summary resulting from the mapping (par. 0082; via a reporting module). For each of the component parts in the list, the corresponding part selection process information includes a current supply status (par. 0082), and it would be a matter of design choice to include various other data about the parts, such as cost, supplier, etc. (see par. 0101).

The system of Swanson differs from the claimed invention in that the bill of material is not explicitly shown to be edited to facilitate production planning processes. However, there are a variety of well-known reasons for editing a bill of material, such as cost planning, inventory management, supplier status, managerial approval, etc., and the particular reason would be a matter of design choice. It would have been obvious to one of ordinary skill in the art at the time the invention was made to edit the bill of materials to facilitate a variety of planning processes, including production planning.

Regarding the dependent claims, Swanson further discloses a database of part information (par. 0108), a database of procurement information, a database of CAD information relating to product designs (as disclosed on page 4 via technical feature solution), and a database of approved vendors list (par. 0006). Furthermore, a database could hold information files of any type and are commonly made commercially accessible over a network.

(10) Response to Argument

Appellant's arguments have been fully considered but they are not persuasive. Appellant argues that the Swanson reference does not disclose all the recited features of the claimed invention, in particular, the claimed feature of editing a bill of material for the product design to facilitate production planning processes for developing or manufacturing the product design.

The examiner disagrees and stands by the rejection. As the rejection above points out, in the system of Swanson the bill of material is updated or modified (i.e., edited, see par. 0067, 0099, 0101) with changes in the product design. The system is not explicitly shown to edit the bill of material to facilitate production planning processes, however, the reason for editing is considered to be a matter of design choice.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Christopher R Buchanan/

Examiner, Art Unit 3627

Conferees:

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627



Vincent Millin